

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To direct the Secretary of Agriculture to periodically assess cybersecurity threats to, and vulnerabilities in, the agriculture and food critical infrastructure sector and to provide recommendations to enhance their security and resilience, to require the Secretary of Agriculture to conduct an annual cross-sector simulation exercise relating to a food-related emergency or disruption, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mr. COTTON introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## **A BILL**

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1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Farm and Food Cyber-  
3 security Act of 2023”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **AGRICULTURE AND FOOD CRITICAL INFRA-**  
7 **STRUCTURE SECTOR.**—The term “agriculture and  
8 food critical infrastructure sector” means—

9 (A) any activity relating to the production,  
10 processing, distribution, storage, transportation,  
11 consumption, or disposal of agricultural or food  
12 products; and

13 (B) any entity involved in an activity de-  
14 scribed in subparagraph (A), including a farm-  
15 er, rancher, processor, manufacturer, dis-  
16 tributor, retailer, consumer, and regulator.

17 (2) **CYBERSECURITY THREAT; DEFENSIVE**  
18 **MEASURE; INCIDENT; SECURITY VULNERABILITY.**—  
19 The terms “cybersecurity threat”, “defensive meas-  
20 ure”, “incident”, and “security vulnerability” have  
21 the meanings given those terms in section 2200 of  
22 the Homeland Security Act of 2002 (6 U.S.C. 650).

23 (3) **SECRETARY.**—The term “Secretary” means  
24 the Secretary of Agriculture.

1 **SEC. 3. ASSESSMENT OF CYBERSECURITY THREATS AND**  
2 **SECURITY VULNERABILITIES IN THE AGRI-**  
3 **CULTURE AND FOOD CRITICAL INFRASTRUC-**  
4 **TURE SECTOR.**

5 (a) STUDY.—The Secretary shall conduct a study, on  
6 a biennial basis, on the cybersecurity threats to, and secu-  
7 rity vulnerabilities in, the agriculture and food critical in-  
8 frastructure sector, including—

9 (1) the nature and extent of cyberattacks and  
10 incidents that affect the agriculture and food critical  
11 infrastructure sector;

12 (2) the potential impacts of a cyberattack or in-  
13 cident on the safety, security, and availability of  
14 food products, as well as on the economy, public  
15 health, and national security of the United States;

16 (3) the current capability and readiness of the  
17 Federal Government, State and local governments,  
18 and private sector entities to prevent, detect, re-  
19 spond to, and recover from cyberattacks and inci-  
20 dents described in paragraph (2);

21 (4) the existing policies, standards, guidelines,  
22 best practices, and initiatives applicable to the agri-  
23 culture and food critical infrastructure sector to en-  
24 hance defensive measures in that sector;

1           (5) the gaps, challenges, barriers, or opportuni-  
2 ties for improving defensive measures in the agri-  
3 culture and food critical infrastructure sector; and

4           (6) any recommendations for Federal legislative  
5 or administrative actions to address the cybersecu-  
6 rity threats to, and security vulnerabilities in, the  
7 agriculture and food critical infrastructure sector.

8           (b) BIENNIAL REPORT.—Not later than 1 year after  
9 the date of enactment of this Act, and every 2 years there-  
10 after, the Secretary shall submit a report on each study  
11 conducted under subsection (a) to—

12           (1) the Committee on Agriculture, Nutrition,  
13 and Forestry of the Senate;

14           (2) the Committee on Homeland Security and  
15 Governmental Affairs of the Senate;

16           (3) the Committee on Agriculture of the House  
17 of Representatives; and

18           (4) the Committee on Homeland Security of the  
19 House of Representatives.

20 **SEC. 4. FOOD SECURITY AND CYBER RESILIENCE SIMULA-**  
21 **TION EXERCISE.**

22           (a) ESTABLISHMENT.—The Secretary, in coordina-  
23 tion with the Secretary of Homeland Security, the Sec-  
24 retary of Health and Human Services, the Director of Na-  
25 tional Intelligence, and the heads of other relevant Federal

1 agencies, shall conduct, over a 5-year period, an annual  
2 cross-sector crisis simulation exercise relating to a food-  
3 related emergency or disruption (referred to in this section  
4 as an “exercise”).

5 (b) PURPOSES.—The purposes of each exercise are—

6 (1) to assess the preparedness and response ca-  
7 pabilities of Federal, State, Tribal, local, and terri-  
8 torial governments and private sector entities in the  
9 event of a food-related emergency or disruption;

10 (2) to identify and address gaps and  
11 vulnerabilities in the food supply chain and critical  
12 infrastructure;

13 (3) to enhance coordination and information  
14 sharing among stakeholders involved in food produc-  
15 tion, processing, distribution, and consumption;

16 (4) to evaluate the effectiveness and efficiency  
17 of existing policies, programs, and resources relating  
18 to food security and resilience;

19 (5) to develop and disseminate best practices  
20 and recommendations for improving food security  
21 and resilience; and

22 (6) to identify key stakeholders and categories  
23 that were missing from the exercise to ensure the in-  
24 clusion of those stakeholders and categories in fu-  
25 ture exercises.

1 (c) DESIGN.—Each exercise shall—

2 (1) involve a realistic and plausible scenario  
3 that simulates a food-related emergency or disrup-  
4 tion affecting multiple sectors and jurisdictions;

5 (2) incorporate input from experts and stake-  
6 holders from various disciplines and sectors, includ-  
7 ing agriculture, public health, nutrition, emergency  
8 management, transportation, energy, water, commu-  
9 nications, related equipment suppliers and manufac-  
10 turers, and cybersecurity, including related academia  
11 and private sector information security researchers  
12 and practitioners;

13 (3) use a variety of methods and tools, such as  
14 tabletop exercises, workshops, seminars, games,  
15 drills, or full-scale exercises; and

16 (4) include participants from Federal, State,  
17 Tribal, local, and territorial governments and private  
18 sector entities that have roles and responsibilities re-  
19 lating to food security and resilience.

20 (d) FEEDBACK; REPORT.—After each exercise, the  
21 Secretary, in consultation with the heads of the Federal  
22 agencies described in subsection (a), shall—

23 (1) provide feedback to, and an evaluation of,  
24 the participants in that exercise on their perform-  
25 ance and outcomes; and

1           (2) produce and submit to Congress a report  
2           that summarizes, with respect to that exercise, the  
3           findings of that exercise, lessons learned from that  
4           exercise, and recommendations to enhance the cyber-  
5           security and resilience of the agriculture and food  
6           critical infrastructure sector.

7           (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
8           authorized to be appropriated to carry out this section  
9           \$1,000,000 for each of fiscal years 2024 through 2028.